

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 1:04CR135-P-D**

**EMMANUEL SHOTWELL**

**ORDER**

This cause is before the Court on defendant Shotwell's Motion for Modification of Sentence and Motion for Emergency Modification of Sentence( [210] and [211]). The Court, having reviewed the motions and being otherwise fully advised in the premises, finds as follows, to-wit:

That the motions are not well-taken and should be denied. Pursuant to 18 U.S.C. § 3582(c), the Court is without authority to modify a term of imprisonment except under very limited circumstances which the Court has determined are inapplicable in the instant case. Accordingly,

IT IS, THEREFORE, ORDERED AND ADJUDGED that the defendant's Motion for Modification of Sentence and Motion for Emergency Modification of Sentence ([210] and [211]) are not well-taken and should be, and hereby are, DENIED.

SO ORDERED, this the 23<sup>rd</sup> day of March, 2007.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE